

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
D'AMATO FRATELLI SPA,

Plaintiff,

- against -

KREMIKOV TZI TRADE,

Defendant.  
-----X

:  
: 05 Civ. 10585 (VM)  
:

ORDER

-----X  
D'AMATO FRATELLI SPA,

Plaintiff,

- against -

KREMIKOV TZI TRADE E.O.O.D., et al.,

Defendants.  
-----X

:  
: 08 Civ. 4519 (VM)  
:

ORDER

**VICTOR MARRERO, United States District Judge.**

Upon review of the complaints and other papers filed with the Court in connection with the two cases captioned above, the Court noted that the complaints describe the same or substantially similar underlying events and operative facts, and assert claims arising out of the same or substantially similar actions against the same and some additional defendants and that the plaintiff in both cases is represented by the same counsel. Accordingly, it is hereby

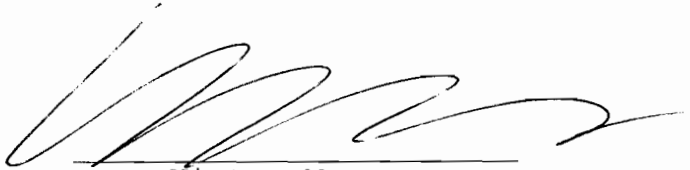
**ORDERED** that the Clerk of Court is directed to consolidate the two cases captioned above for all purposes; and it is further

**ORDERED** that all filings in connection with the consolidated action be docketed against the remaining lower number case, 05 Civ. 10585; and its finally

**ORDERED** that the Clerk of Court close the referenced higher numbered case, 08 Civ. 4519, as a separate action and remove it from the Court's database of open cases.

**SO ORDERED.**

Dated: NEW YORK, NEW YORK  
2 June 2008



Victor Marrero  
U.S.D.J.